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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

HOLM CONSTRUCTION, LLC, an
Idaho Limited Liability Company, in the
name of THE UNITED STATES OF
AMERICA,

Plaintiff,

vs.

DESERT SAGE CONTRACTORS, INC.,
an Idaho Corporation, and
DEVELOPERS SURETY AND
INDEMNITY COMPANY, Surety,

Defendants.

Case No. CV-03-273-E-LMB

CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE
JUDGE

In accordance with the provisions of 28 U.S.C. 6369 (c) and Fed.R.Civ.P.
73, the undersigned party in the above-entitled matter hereby voluntarily consents to have
a United States Magistrate Judge conduct any and all further proceedings in this case,

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

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including trial, and order the entry of a final judgment and conduct all post-judgment proceedings. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

DATED this 21st day of October, 2004

EHARDT SMITH & TORGESEN, PLLC

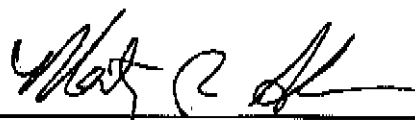
By Marty R. Anderson
Marty R. Anderson
Attorneys for Defendants Desert Sage and
Developers

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION**

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their name, either by mailing, hand delivery, or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 21st day of October, 2004.



Marty R. Anderson

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☒ Mail
☐ Hand Delivery
☐ Facsimile